

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

FREDERICK BANKS, AS NEXT	:	CIVIL NO. 1:19-CV-1465
FRIEND OF, MUSTAFA ALLAH	:	
WAYMER, FAITH HODGEPATH,	:	(Chief Judge Conner)
HENRY JAMES MASON,	:	
THOUSANDS OF FEMALE HUMAN	:	
TRAFFICKING VICTIMS, AND	:	
HUMANA,	:	
	:	
Petitioners	:	
	:	
v.	:	
	:	
JUDGE CYNTHIA REED EDDY,	:	
<i>et al.,</i>	:	
	:	
Respondents	:	

ORDER

AND NOW, this 29th day of August, 2019, upon consideration of the petition for writ of habeas corpus (Doc. 1) pursuant to 28 U.S.C. § 2241, filed by petitioner Frederick Banks on behalf of Mustafa Allah Waymer, church bomb plotter; Faith Hodgepath, an Indian; Henry James Mason, manager to R. Kelly; Thousands of female human trafficking victims detained at over 9,000 massage parlors in Atlanta and beyond; and, Hamana, Austrian refugee and former Isis trapped in Syria, wherein he seeks, *inter alia*, release from confinement for all named petitioners, and upon consideration of the federal habeas statute, which provides that an “[a]pplication for a writ of habeas corpus shall be in writing signed and verified by the person for whose relief it is intended or by someone acting in his behalf”,

28 U.S.C. § 2242, and that a litigant seeking to prosecute a “next friend” habeas petition “must establish the requisite [Article III] standing to sue”, Whitmore v. Arkansas, 495 U.S. 149, 154 (1990), accord In re Zettlemoyer, 53 F.3d 24, 26-27 (3d Cir. 1995) (per curiam), and, further, a petitioner seeking “next friend” standing must “provide an adequate explanation—such as inaccessibility, mental incompetence, or other disability—why the real party in interest cannot appear on his own behalf to prosecute the action”, and must demonstrate that he is “truly dedicated to the best interests of the person on whose behalf he seeks to litigate” and has some “significant relationship” with that person, Whitmore, 495 U.S. at 164 (citations omitted), and it appearing that Banks has failed to establish that the petitioners are unable to litigate their own case, and failed to establish that he has a significant relationship with any of the petitioners, and the court finding that Banks therefore failed to meet his burden to establish “next friend” standing, it is hereby ORDERED that:

1. The petition for writ of habeas corpus (Doc. 1) filed by Frederick Banks on behalf Mustafa Allah Waymer, church bomb plotter; Faith Hodgepath, an Indian; Henry James Mason, manager to R. Kelly; Thousands of female human trafficking victims detained at over 9,000 massage parlors in Atlanta and beyond; and, Hamana, Austrian refugee and former Isis trapped in Syria is DISMISSED for lack of standing.
2. The application (Doc. 2) to proceed *in forma pauperis* is DISMISSED as an improper form.

3. The Clerk of Court is directed to CLOSE this case.
4. There is no basis for the issuance of a certificate of appealabilty. See 28 U.S.C. § 2253(c).

/S/ CHRISTOPHER C. CONNER
Christopher C. Conner, Chief Judge
United States District Court
Middle District of Pennsylvania